

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

115354.00

First Inventor or Application Identifier

Edward H. SARGENT

Title

DYNAMICALLY RECONFIGURABLE OPTICAL  
AMPLIFICATION ELEMENT

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents

**ADDRESS TO:**

Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

PTO  
09/988030  
11/16/01

1. ☐ Fee Transmittal Form (e.g. PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27
3. ☒ Specification Total Pages 13
4. ☒ Drawing(s) (35 U.S.C. 113) Total Sheets 4
5. ☐ Oath or Declaration Total Pages
  - a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 C.F.R. §1.63(d))  
(for continuation / divisional w/ box 16 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the  
prior application, see 37 C.F.R. §1.63(d)(2) and 1.33(b).
6. ☐ CD-ROM or CD-R in duplicate, large table or Computer  
Program (Appendix)
7. ☐ Application Data Sheet. See 37 CFR 1.76
8. ☐ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. ☐ Specification or Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper
  - c. ☐ Statements verifying identity of above copies

- ACCOMPANYING APPLICATION PARTS**
9. ☐ Assignment Papers (cover sheet & document(s))
  10. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
  11. ☐ English Translation Document (if applicable)
  12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS  
Citations
  13. ☐ Preliminary Amendment
  14. ☒ White Advance Serial No. Postcard
  15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
  16. ☒ Request and Certification under 35 U.S.C.  
122(b)(2)(B)(i). Applicant must attach form  
PTO/SB/35 or its equivalent.
  17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application no.:

Prior application information:

Examiner:

Group Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. Amend the specification by inserting before the first line the sentence:

☐ This application is a ☐ Continuation ☐ Division ☐ Continuation-in-part (CIP)  
of application Serial No. Filed on

☐ This application claims priority of provisional application Serial No. Filed

**20. CORRESPONDENCE ADDRESS**

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27557

PATENT TRADEMARK OFFICE

Name: Michael C. Greenbaum

Registration No.: 28,419

Signature:

Date: November 16, 2001

<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	Edward H. SARGENT
	Title	DYNAMICALLY RECONFIGURABLE OPTICAL AMPLIFICATION ELEMENT
	Atty. Docket Number	115354.00104

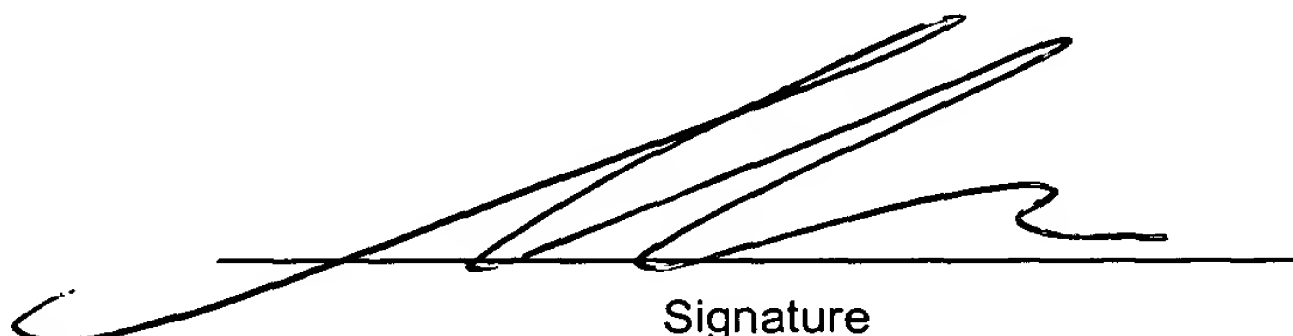
Commissioner for Patents  
Washington, D.C. 20231

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

November 16, 2001

Date



Signature

Michael C. Greenbaum

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**